

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

JOHN DOE a/k/a SEAN W. LEE,  
Plaintiff,  
  
v.  
  
WILLIAM LEE, Governor of Tennessee,  
and DAVID B. RAUSCH, Director of the  
Tennessee Bureau of Investigation,  
Defendants.

No. 2:21-cv-02156-SHL-atc

**ORDER ADOPTING REPORT AND RECOMMENDATION, GRANTING PLAINTIFF'S  
UNOPPOSED MOTION FOR PRELIMINARY INJUNCTION, AND GRANTING  
PARTIES' JOINT MOTION TO ADMINISTRATIVELY STAY CASE**

Before the Court is Magistrate Judge Annie T. Christoff’s Report and Recommendation (“R&R”), recommending that the Court grant both Plaintiff John Doe’s Unopposed Motion for Preliminary Injunction (ECF No. 85), and the Parties’ Joint Motion to Administratively Stay Case Pending Ruling in Sixth Circuit Appeal (ECF No. 86).

A magistrate judge may submit to a district court judge proposed findings of fact and recommendations that assist in the disposition of a motion for injunctive relief and a motion to stay a case. 28 U.S.C. § 636(b)(1)(A)–(B). Parties can file objections to the proposed findings and recommendations “[w]ithin 14 days after being served with a copy of the recommended disposition.” Fed. R. Civ. P. 72(b)(2); see also 28 U.S.C. § 636(b)(1)(C). A district court reviews de novo only those proposed findings of fact or conclusions of law to which a party specifically objects; the rest are reviewed for clear error. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3). “When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Fed. R. Civ. P. 72(b) advisory committee notes.

The R&R recommends granting the motion for preliminary injunction and the motion to stay. (ECF No. 90 at PageID 652.) It also recommends that Defendants file a status report addressing the impact of the Sixth Circuit’s eventual ruling in Doe #1–9 v. Lee, No. 3:21-cv-00590, 2023 WL 2335639 (M.D. Tenn. Mar. 2, 2023), appeal docketed, No. 23-5248 (6th Cir. Mar. 28, 2023) (“Doe #1 v. Lee”) within twenty-one days of the issuance of that opinion. (ECF No. 90 at PageID 652–53.) On November 2, 2023, Plaintiff filed his Notice of Plaintiff’s Lack of Objections to the Report and Recommendation (ECF No. 91), and Defendants filed their Notice of Lack of Objections to the Report and Recommendation (ECF No. 92). Plaintiff and Defendants are in harmony as neither one has any objections to the R&R. Since neither Party objects, the Court reviews the R&R for clear error and finds none. Therefore, the Court **ADOPTS** the R&R and **GRANTS** both Plaintiff’s Unopposed Motion for Preliminary Injunction and the Parties’ Joint Motion to Administratively Stay Case Pending Ruling in Sixth Circuit Appeal.

The Court **GRANTS** the following Preliminary Injunction. Defendants and their officers, directors, agents, representatives, attorneys, employees, subsidiaries, and affiliates, and those persons in active concert or participation with them, are:

1. **PROHIBITED** from enforcing Tennessee’s Sexual Offender and Violent Sex Offender Registration, Verification, and Monitoring Act of 2004, Tenn. Code Ann. §§ 40-39-201 to 218 (“SORA”) against Doe;
2. **PROHIBITED** from requiring Doe to comply with any portion of SORA;
3. **PROHIBITED** from publishing Doe’s information on the sex offender registry; and

4. **ORDERED** to provide notice of this Preliminary Injunction to its officers, directors, agents, representatives, attorneys, employees, subsidiaries, and affiliates, and those persons in active concert or participation with them.

Defendants are **ORDERED** to take whatever means are necessary or appropriate to ensure proper compliance by all such third parties with this Preliminary Injunction. This Preliminary Injunction shall remain in effect until a final order or judgment is entered in this case, unless dissolved sooner by order of this Court.

Furthermore, the Court **ORDERS** that the litigation is hereby **STAYED** pending resolution of the Sixth Circuit's ruling in Doe #1 v. Lee. Defendants are **ORDERED** to file a status report addressing the impact of the Sixth Circuit's eventual ruling in Doe #1 v. Lee within **twenty-one days** of the issuance of the opinion.

**IT IS SO ORDERED**, this 27th day of November, 2023.

s/ Sheryl H. Lipman  
SHERYL H. LIPMAN  
CHIEF UNITED STATES DISTRICT JUDGE